

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DEURY ROSARIO,

Petitioner,

20 **CIVIL** 5475 (VB)

-against-

JUDGMENT

DARWIN LACLAIR, Superintendent,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated October 11, 2024, the petition for a writ of habeas corpus and the motion for leave to amend the petition are DENIED. As petitioner has not made a substantial showing of the denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253(c)(2); *Love v. McCray*, 413 F.3d 192, 195 (2d Cir. 2005). The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962); accordingly, the case is closed.

DATED: New York, New York
October 15, 2024

DANIEL ORTIZ

Acting Clerk of Court

BY:

K. mango

Deputy Clerk